

§ 383.133

- (3) Details on how to conduct the tests;
- (4) Scoring procedures and minimum passing scores;
- (5) Information for selecting driving test routes;
- (6) List of the skills to be tested;
- (7) Instructions on where and how the skills will be tested;
- (8) How performance of the skills will be scored; and
- (9) Causes for automatic failure of skills tests.

[53 FR 27657, July 21, 1988, as amended at 53 FR 39051, Oct. 4, 1988]

§ 383.133 Testing methods.

- (a) All tests shall be constructed in such a way as to determine if the applicant possesses the required knowledge and skills contained in subpart G of this part for the type of motor vehicle or endorsement the applicant wishes to obtain.
- (b) States shall develop their own specifications for the tests for each vehicle group and endorsement which must be at least as stringent as the Federal standards.
- (c) States shall determine specific methods for scoring the knowledge and skills tests.
- (d) Passing scores must meet those standards contained in § 383.135.
- (e) Knowledge and skills tests shall be based solely on the information contained in the driver manuals referred to in § 383.131(a).
- (f) Each knowledge test shall be valid and reliable so as to assure that driver applicants possess the knowledge required under § 383.111.
- (g) Each basic knowledge test, i.e., the test covering the areas referred to in § 383.111 for the applicable vehicle group, shall contain at least 30 items, exclusive of the number of items testing air brake knowledge. Each endorsement knowledge test, and the air brake component of the basic knowledge test as described in § 383.111(g), shall contain a number of questions that is sufficient to test the driver applicant's knowledge of the required subject matter with validity and reliability.
- (h) The skills tests shall have administrative procedures, designed to achieve interexaminer reliability, that

49 CFR Ch. III (10–1–01 Edition)

are sufficient to ensure fairness of pass/fail rates.

§ 383.135 Minimum passing scores.

- (a) The driver applicant must correctly answer at least 80 percent of the questions on each knowledge test in order to achieve a passing score on such knowledge test.
- (b) To achieve a passing score on the skills test, the driver applicant must demonstrate that he/she can successfully perform all of the skills listed in § 383.113.
- (c) If the driver applicant does not obey traffic laws, or causes an accident during the test, he/she shall automatically fail the test.
- (d) The scoring of the basic knowledge and skills tests shall be adjusted as follows to allow for the air brake restriction (§ 383.95):
 - (1) If the applicant scores less than 80 percent on the air brake component of the basic knowledge test as described in § 383.111(g), the driver will have failed the air brake component and, if the driver is issued a CDL, an air brake restriction shall be indicated on the license; and
 - (2) If the applicant performs the skills test in a vehicle not equipped with air brakes, the driver will have omitted the air brake component as described in § 383.113(c) and, if the driver is issued a CDL, the air brake restriction shall be indicated on the license.

Subpart I [Reserved]

Subpart J—Commercial Driver's License Document

SOURCE: 53 FR 27657, July 21, 1988, unless otherwise noted.

§ 383.151 General.

The CDL shall be a document that is easy to recognize as a CDL. At a minimum, the document shall contain information specified in § 383.153.

§ 383.153 Information on the document and application.

- (a) All CDLs shall contain the following information:

(1) The prominent statement that the license is a "Commercial Driver's License" or "CDL," except as specified in § 383.153(b).

(2) The full name, signature, and mailing address of the person to whom such license is issued;

(3) Physical and other information to identify and describe such person including date of birth (month, day, and year), sex, and height;

(4) Color photograph of the driver;

(5) The driver's State license number;

(6) The name of the State which issued the license;

(7) The date of issuance and the date of expiration of the license;

(8) The group or groups of commercial motor vehicle(s) that the driver is authorized to operate, indicated as follows:

(i) A for Combination Vehicle;

(ii) B for Heavy Straight Vehicle; and

(iii) C for Small Vehicle.

(9) The endorsement(s) for which the driver has qualified, if any, indicated as follows:

(i) T for double/triple trailers;

(ii) P for passenger;

(iii) N for tank vehicle;

(iv) H for hazardous materials;

(v) X for a combination of the tank vehicle and hazardous materials endorsements; and

(vi) At the discretion of the State, additional codes for additional groupings of endorsements, as long as each such discretionary code is fully explained on the front or back of the CDL document.

(b) If the CDL is a Nonresident CDL, it shall contain the prominent statement that the license is a "Nonresident Commercial Driver's License" or "Nonresident CDL." The word "Nonresident" must be conspicuously and unmistakably displayed, but may be noncontiguous with the words "Commercial Driver's License" or "CDL."

(c) If the State has issued the applicant an air brake restriction as specified in § 383.95, that restriction must be indicated on the license.

(d) Except in the case of a Nonresident CDL:

(1) A driver applicant must provide his/her Social Security Number on the application of a CDL; and

(2) The State must provide the Social Security Number to the CDLIS.

§ 383.155 Tamperproofing requirements.

States shall make the CDL tamperproof to the maximum extent practicable. At a minimum, a State shall use the same tamperproof method used for noncommercial drivers' licenses.

PART 384—STATE COMPLIANCE WITH COMMERCIAL DRIVER'S LICENSE PROGRAM

Subpart A—General

Sec.

384.101 Purpose and scope.

384.103 Applicability.

384.105 Definitions.

Subpart B—Minimum Standards for Substantial Compliance by States

384.201 Testing program.

384.202 Test standards.

384.203 Driving while under the influence.

384.204 CDL issuance and information.

384.205 CDLIS information.

384.206 State record checks.

384.207 Notification of licensing.

384.208 [Reserved]

384.209 Notification of traffic violations.

384.210 Limitation on licensing.

384.211 Return of old licenses.

384.212 Domicile requirement.

384.213 Penalties for driving without a proper CDL.

384.214 Reciprocity.

384.215 First offenses.

384.216 Second offenses.

384.217 Drug offenses.

384.218 Second serious traffic violation.

384.219 Third serious traffic violation.

384.220 National Driver Register information.

384.221 Out-of-service regulations (intoxicating beverage).

384.222 [Reserved]

384.223 Railroad-highway grade crossing violation.

384.224-384.230 [Reserved]

384.231 Satisfaction of State disqualification requirement.

384.232 Required timing of record checks.

Subpart C—Procedures for Determining State Compliance

384.301 Substantial compliance—general requirement.

384.303 [Reserved]